

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

WILLIAM ENGLEHART

v.

STATE OF RHODE ISLAND, et al.

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C.A. No. 07-231S

**REPORT AND RECOMMENDATION**

Lincoln D. Almond, United States Magistrate Judge

In this matter, Petitioner William Englehart, filed his *pro se* Petition for Writ of Habeas Corpus on June 22, 2007. (Document No. 1). Petitioner also submitted a “Paupers Oath,” in which he swears that he has no bank accounts and that he owns no property. (Document No. 2). On June 28, 2007, the Court issued a Memorandum and Order requiring Petitioner to file an In Forma Pauperis (“IFP”) Application with the Court by July 20, 2007 or risk having this matter dismissed for nonpayment of the required filing fee. (Document No. 4). To date, Plaintiff has not filed an IFP Application pursuant to 28 U.S.C. § 1915, nor has he paid the \$5.00 filing fee set forth in 28 U.S.C. § 1914(a).

The matter of Plaintiff’s request for IFP status is before me pursuant to 28 U.S.C. § 636(b)(1)(B) and LR Cv 72(a). The Court has determined that no hearing is necessary. Because Plaintiff failed to file the appropriate documentation for consideration of IFP status, I recommend that his “Pauper’s Oath” (Document No. 2) requesting IFP status be DENIED without prejudice to renewal if Petitioner presents this Court with the requested financial information.

Any objection to this Report and Recommendation must be specific and must be filed with the Clerk of the Court within ten (10) days of its receipt. See Fed. R. Civ. P. 72(b); LR Cv 72(d). Failure to file specific objections in a timely manner constitutes waiver of the right to review by the

District Court and the right to appeal the District Court's decision. See United States v. Valencia-Copete, 792 F.2d 4, 6 (1<sup>st</sup> Cir. 1986); Park Motor Mart, Inc. v. Ford Motor Co., 616 F.2d 603, 605 (1<sup>st</sup> Cir. 1980).

/s/ Lincoln D. Almond  
Lincoln D. Almond  
United States Magistrate Judge  
August 2, 2007